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7 Strike 3 Holdings, LLC

8
9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**
11 **WESTERN DIVISION – LOS ANGELES**

12 STRIKE 3 HOLDINGS, LLC,

Case No.: 2:25-cv-01884-TJH-SP

13 Plaintiff,

14 vs.

15 JOHN DOE subscriber assigned IP
16 address 98.147.178.21,

17 Defendant.

**MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT OF
PLAINTIFF'S MOTION FOR
EXTENSION OF TIME WITHIN
WHICH TO EFFECTUATE
SERVICE ON JOHN DOE
DEFENDANT**

MEMORANDUM OF POINTS AND AUTHORITIES

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Strike 3 Holdings, LLC (“Plaintiff”), respectfully makes this motion for entry of an order extending the time within which to effectuate service on John Doe Defendant.

I. Facts

This is a copyright infringement case against a John Doe Defendant known to Plaintiff only by an IP address. Defendant's true identity is known by their Internet service provider ("ISP"). On March 21, 2025, Plaintiff was granted leave to serve a third-party subpoena on Defendant's ISP to obtain the Defendant's identifying information [CM/ECF 10]. Plaintiff issued the subpoena on or about March 31, 2025 and, in accordance with the time allowances provided to both the ISP and the Defendant, expects to receive the ISP's response on or about June 4, 2025.

Pursuant to Fed. R. Civ. P. Rule 4(m), Plaintiff is required to effectuate service on the Defendant no later than June 2, 2025. Because the ISP is not expected to respond until June 4, 2025 and Defendant's identity remains unknown to Plaintiff, Plaintiff is unable to comply with the current service deadline.

II. Argument

Plaintiff respectfully requests that the time within which it has to effect service of the summons and Complaint on Defendant be extended sixty (60) days from June 4, 2025 (the date Plaintiff expects to receive the ISP response), and thus the deadline to effect service be extended to August 3, 2025. This extension should allow Plaintiff time to receive the ISP response, conduct a further investigation to assist in determining whether the individual identified by the ISP is the appropriate defendant for this action, and if a good faith basis continues to exist, to proceed against that individual (or someone else), to amend the

1 Complaint, file a redacted version of the amend complaint, file a motion to be
2 allowed to file unredacted versions of the amended complaint, summons, and
3 return of service under seal to protect defendant's potential privacy interests, and
4 place the summons and Amended Complaint with the process server to attempt
5 service of process on the Defendant.

6 This motion is made in good faith and not for the purpose of undue delay.
7 This is Plaintiff's first request for an extension. None of the parties will be
8 prejudiced by the granting of this extension.

9 **II. Conclusion**

10 Plaintiff respectfully requests that the time within which it has to effectuate
11 service of the summons and Complaint on Defendant be extended until August 3,
12 2025. A proposed order is concurrently-filed with this Motion.

13 Dated: May 28, 2025

14 Respectfully submitted,

15 By: /s/ Lincoln D. Bandlow
16 Lincoln D. Bandlow, Esq.
17 **Law Offices of Lincoln Bandlow, PC**
Attorney for Plaintiff
Strike 3 Holdings, LLC